UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

MARLORITA BATTLE,)	
)	
Plaintiff,)	
)	
v.)	No. 3:11-0013
)	Judge Sharp
A&E TELEVISION NETWORKS, LLC)	
and WILD EYES PRODUCTIONS,)	
INC.,)	
)	
Defendants.)	

ORDER

For the reasons set forth in the accompanying Memorandum, the Court rules as follows:

- (1) Defendants' Motion to Dismiss (Docket No. 12) is hereby DENIED AS MOOT;
- (2) Plaintiff's Motion for Voluntary Dismissal of Count II (Docket No. 18) is hereby GRANTED, and Plaintiff's claim for defamation *per se* is hereby DISMISSED; and
- (3) Defendants' Motion to Dismiss Amended Complaint (Docket No. 25) is hereby GRANTED IN PART and DENIED IN PART. The Motion is GRANTED with respect to Plaintiff's claim for the intentional infliction of emotional distress as set forth in Count II, and that claim is hereby DISMISSED. The Motion is DENIED with respect to Plaintiff's claim for defamation/false light as set forth in Count I.

It is SO ORDERED.

KEVIN H. SHARP

Kein H. Shorp

UNITED STATES DISTRICT JUDGE